

REMARKS

Claims 1-42 were pending as of the action mailed on June 12, 2008. Claims 1, 10, 19, 25, and 34 are in independent form. Reconsideration of the action is respectfully requested in light of the following remarks.

The Examiner rejected claims 1-42 under 35 U.S.C. § 103(a) as allegedly unpatentable over “Jumping Beans,” Ad Astra Engineering, 12/3/1998, pages 1-44 (“Jumping Beans”) in view of Zhou et al. “Adaptation and Specialization for High Performance Mobile Agents,” USENIX, 1999 (“Zhou”). Applicant respectfully traverses the rejections.

Section 103 Rejections

Claim 1 was rejected over Jumping Beans and Zhou. Claim 1 is directed to a jumping application morphing console that alters a jumping application that is jumping between two or more hosts connected to the morphing console. The morphing console includes a morphing module that alters the jumping application as the jumping application jumps between hosts including receiving the jumping application jumping from a first host to a next host, altering the jumping application, and sending the jumping application to the next host.

The Examiner acknowledges that Jumping Beans does not disclose the claimed morphing module. However, the Examiner states that Zhou discloses the claimed morphing module. Applicant respectfully disagrees.

Zhou discloses a number of features associated with mobile applications. In particular, Section 3 of Zhou discloses agent morphing. *See* Zhou page 6. In Zhou, agent morphing is described as changing a mobile application between a neutral (platform independent) form and a native (platform dependent) form. *See* page 6, section 3.1. The mobile application is programmed to initially enter a new host in the neutral form and then morph to the native form. *See* page 6, section 3.1.

In particular, the mobile application, before it migrates to a next host, is morphed into a platform independent neutral form. *See* page 7, second full paragraph. The mobile application then migrates to the next host. *See* page 7, second full paragraph. After arriving at the next host,

the mobile application can again morph to the native form corresponding to the “specific platform on which it is currently running.” *See* page 6, section 3.1.

Consequently, in Zhou, all morphing occurs either on a host prior to migration or on a host after arrival. Zhou does not disclose or suggest a morphing console that alters a jumping application that is jumping between two or more hosts connected to the morphing console where the jumping application is received from a first host, altered, and sent to a next host. The morphing console is not a dispatching or receiving host. Instead the morphing console alters the jumping application en route from the dispatching host to the receiving host. Consequently, the jumping application is altered as it is jumping between hosts, not before or after a jump.

Zhou does not disclose or suggest altering a jumping application using a behavior package associated with the next host after leaving a host but prior to arriving at a next host. Moreover, Zhou explicitly teaches against morphing a jumping application while jumping between hosts. For example, Zhou discloses morphing at a host before migration. Additionally, Zhou discloses that upon arrival at a next host, the jumping application can morph to a platform dependent native form. The jumping application will only morph to a native form if the host has a platform corresponding to the native form of the mobile application.

In responding to Applicant's previous arguments the Examiner relies on a single sentence of Zhou as supporting the Examiner's argument that Zhou discloses altering a jumping application as it is jumping between hosts. In particular, the Examiner points to page 7, left column, third paragraph stating that “[i]n general, morphing may be triggered at any point during agent execution”.

The Examiner, however, does not identify any disclosure indicating that this includes morphing at a morphing console during a jump from a first host to a second host. The only disclosed locations for morphing are at a host prior to migrating or at a host after arrival. There is no particular disclosure of morphing after leaving a host but before arriving at a destination host. Thus, while there is a generic statement of morphing being triggered at any point, there is no enabling disclosure that the actual morphing occurs at any other locations than on the sending or receiving host.

In order to be enabled, the reference must disclose the claimed invention “in sufficient detail to enable a person of ordinary skill in the art to carry out the claimed invention” (MPEP § 2121). The single generic sentence relied upon by the Examiner does not enable morphing during a jump from one host to another host. There is no disclosure or suggestion as to how the morphing can be triggered between hosts or how the morphing can occur during transit. Zhou does not disclose or suggest structures or methods for morphing during transit. Moreover, Zhou does not disclose a morphing console that receives a jumping application jumping from a first host to a next host, altering the jumping application, and sending the jumping application to the next host, as required by claim 1. Furthermore, there is no indication that the disclosed “triggering” refers to any point during agent execution beyond agent execution on a host. Therefore, Applicant respectfully submits that there is no enabling disclosure in Zhou of morphing during a jump between hosts.

Furthermore, because Zhou does not disclose morphing during a jump, Zhou also fails to disclose or suggest a morphing console that determines which host is the next host and then alters the behavior of the jumping application for the next host, as required by claim 1.

Applicant respectfully submits that claim 1, as well as claims 2-9, which depend from claim 1, are in condition for allowance.

Claim 10 stands rejected over Jumping Beans in view of Zhou. Claim 10 is directed to a jumping application morphing console that includes means for altering the behavior of the jumping application for the next host using a particular behavior package associated with the next host when the jumping application jumps between a first host and the next host where the console alters the behavior after the jumping application leaves the first host and before the jumping application arrives at a next host. For at least the same reasons as set forth above with respect to claim 1, claim 10, as well as claims 11-18, which depend from claim 10, are in condition for allowance.

Claim 19 stands rejected over Jumping Beans in view of Zhou. Claim 19 is directed to a computer-implemented method for altering the behavior of a jumping application that includes receiving at a morphing console a jumping application dispatched from a first host during a jump

between hosts, altering the behavior of the jumping application for the next host based on using a behavior package associated with the next host, and dispatching the jumping application to the next host. As set forth above with respect to claim 1, Zhou does not disclose or suggest altering the behavior of a jumping application during a jump between hosts according to a behavior package associated with the next host. Applicant respectfully submits that claim 19, as well as claims 20-24, which depend from claim 19, are in condition for allowance.

Claim 25 stands rejected over Jumping Beans in view of Zhou. Claim 25 is directed to a jumping application morphing system that includes a management and security console connected to two or more host computers where the management and security console includes a morphing module that alters a jumping application as the jumping application jumps between hosts, where the morphing module receives the jumping application from a first host and alters the jumping application before sending the jumping application to a next host. For at least the same reasons as set forth above with respect to claim 1, claim 25, as well as claims 26-33, which depend from claim 25, are in condition for allowance.

Claim 34 stands rejected over Jumping Beans in view of Zhou. Claim 34 is directed to a server computer for a jumping application morphing system that includes instructions that determine a next host to which the jumping application, received from a first host, is being dispatched and instructions that alter the behavior of the received jumping application for the next host based on using a particular behavior package associated with the next host. For at least the same reasons as set forth above with respect to claim 1, claim 34, as well as claims 35-42, which depend from claim 34, are in condition for allowance.

Conclusion

For the foregoing reasons, Applicant submits that all the claims are in condition for allowance.

By responding in the foregoing remarks only to particular positions taken by the Examiner, the applicant does not acquiesce with other positions that have not been explicitly addressed. In addition, Applicant's selecting some particular arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that

Applicant : Christopher A. Rygaard
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claim exist. Finally, Applicant's decision to amend or cancel any claim should not be understood as implying that the applicant agrees with any positions taken by the Examiner with respect to that claim or other claims.

The one (1) month extension of time fee in the amount of \$65 is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization.

Please apply any other credits or charges to Deposit Account No. 06-1050.

Respectfully submitted,

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/Brian J. Gustafson/

Brian J. Gustafson

Reg. No. 52,978

Customer No. 26181
Fish & Richardson P.C.
Telephone: (650) 839-5070
Facsimile: (877) 769-7945